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April 2, 2020

MEMO ENDORSED

The conference is adjourned to
June 25, 2020 at 11:00 a.m.

SO ORDERED.

Paul G. Gardephe
United States District Judge
April 3, 2020

BY E.C.F.

Honorable Paul G. Gardephe
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Shannon Mont and Dionesy Vargas v. City of New York, et al.*
19 Civ. 8770 (PGG)(SN)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney assigned to the defense of the above-referenced matter. Defendants City of New York, Detective Michael Dye, Lieutenant Thomas Fabrizi, Detective Shannon Myers, Sergeant James Gerrity, and Officer Jean Francisco (hereinafter “defendants”) write to respectfully request an adjournment of the Initial Conference presently scheduled for May 14, 2020. This is the second request for an adjournment of the Initial Conference. Plaintiff’s counsel consents and joins this request to adjourn the Initial Conference.

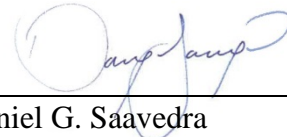
By way of background, plaintiffs allege in their Complaint that they were subject to false arrest, *inter alia*, by members of the New York City Police Department on June 12, 2017. This case was accordingly designated as part of the Southern District of New York’s Plan for Section 1983 Cases against the City of New York, or its agents, under Local Civil Rule 83.10 (hereinafter “LCR 83.10”). *See* Docket Entry No. 3. On October 25, 2019, at the request of the parties, the Court adjourned the Initial Conference to April 9, 2020, which was intended to be a date after the parties had completed mediation. *See* Docket Entry No. 11. On March 25, 2020, the Court, *sua sponte*, adjourned the Initial Conference to May 14, 2020. *See* Docket Entry No. 24. The parties now respectfully request an adjournment of the Initial Conference.

An adjournment is necessary in this case because the parties have yet to participate in mediation, as contemplated by LCR 83.10, and the mediation is not scheduled to take place until June 16, 2020. This delay has been caused by several factors. First, the mediator assigned to handle the mediation experienced medical issues that required postponing the

previously scheduled March 13, 2020 mediation. The mediation was thereafter rescheduled for April 14, 2020. However, given the current public health crisis, the District Executive issued a memorandum on March 20, 2020 canceling all in person mediations at the courthouse. Therefore, the parties, in conjunction with the mediation office, tentatively rescheduled mediation for June 16, 2020. Given the foregoing, the parties respectfully request that the Court adjourn the Initial Conference until a date and time after the parties can meaningfully participate in mediation, as contemplated by LCR 83.10. Indeed, if mediation is successful, an Initial Conference will not be necessary.

Accordingly, the parties respectfully request an adjournment of the Initial Conference presently scheduled for May 14, 2020 until a date and time after the parties have been able to attend mediation. Defendants thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Daniel G. Saavedra", is written over a horizontal line.

Daniel G. Saavedra
Senior Counsel
Special Federal Litigation Division

cc: Rose Minna Weber, Esq. (By ECF)
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